

BORA LASKIN LAW LIBRARY



3 1761 10631606 0

CASES AND MATERIALS
IN
ADMINISTRATIVE LAW



LAW LIBRARY

JAN 17 1980

FACULTY OF LAW
UNIVERSITY OF TORONTO

CASES AND MATERIALS

IN

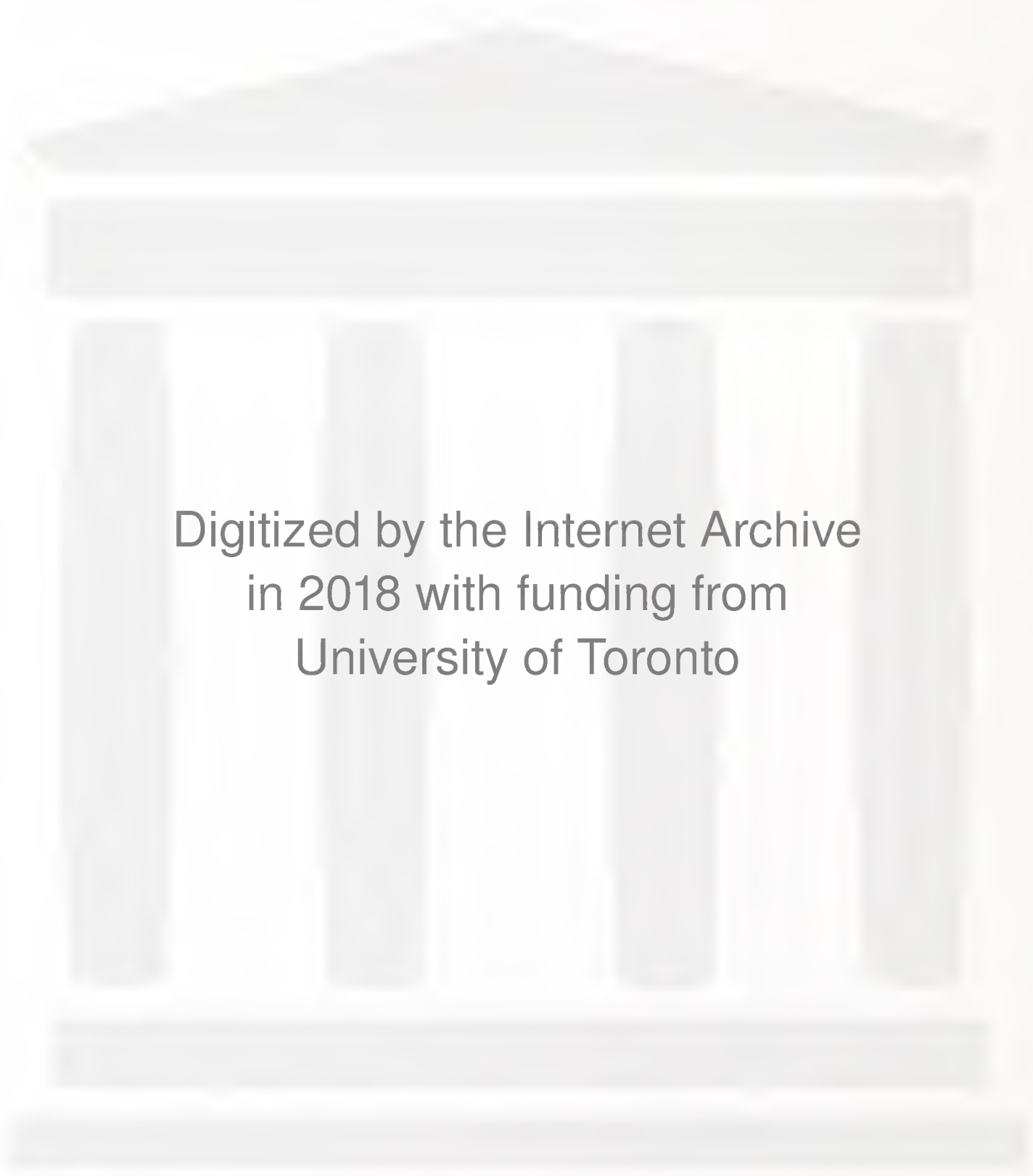
ADMINISTRATIVE LAW

Part II

For use in 1979-1980

Professor Fberts, [✓] Mary A

5011
4.7
2402
114
53
1737
172



Digitized by the Internet Archive
in 2018 with funding from
University of Toronto

TABLE OF CONTENTS

Chapter Six DELEGATION

Willis, Delegatus non potest delegare	531
Chemicals Reference	535
Re Clark and A.G. Canada	540
Allingham v. Minister of Agriculture & Fisheries	547
R. v. Joy Oil Co.	549
R. v. Sandler	551
Carltona Ltd. v. Commisioner of Works	554
Interpretation Act	557
Local Government Board v. Arlidge	557
Vine v. National Dock Labour Board	558
Jeffs v. N.Z. Dairy Production...Board	559
National Defence Act	565
C.R.T.C. Act	565
Ontario Highway Transport Board Act	566
Lakes and Rivers Improvement Act	567
Wild Rice Harvesting Act	569

Chapter Seven TRIBUNALS ACTING LIKE COURTS: STATUTORY INTERPRETATION EVIDENCE AND JURISDICTION

I. <u>Error of Law on the Face of the Record</u>	
R. v. Northumberland Compensation Tribunal	570
McLeod v. Egan	577
Abel, Materials for Consideration in Certiorari	581
Statutory Powers Procedure Act	584
DeSmith, Judicial REview of Administrative Action	585
Federal Court Act	585

II. Preliminary and Collateral Questions

Parkhill Bedding and Furniture Ltd.	586
R. v. L.R.B., Ex p. Lodum Holdings Ltd.	594
Bell v. Ontario Human Rights Commission	601
Re CIP Paper Products and Saskatchewan H.R.C.	610

III. Excluding Judicial Review

Barbara Jarvis v. Associated Medical Services	613
Laskin, Certiorari to Labour Boards	616
Pringle et al. v. Fraser	623
Re CJMS Radio Montreal	627

IV. Asking the Wrong Question

Anisminic Ltd. v. Foreign Compensation Commission	631
International Union of Operating Engineers v. Met Life	652
Re Funk and Manitoba Labour Board	660

V. Interpreting Procedural Requirements

DeSmith, Judicial Review of Administrative Action	664
Re Metro Police Commissioners and Police Association	665
Re Devitt and Sawchyn	672
Coney v. Choyce	676

VI. Questions of Fact and Questions of Law

Re Proc and Minister of Community & Social Services	683
Re Warwick	686

VII. No Evidence

R. v. Nat Bell Liquors	696
United Steelworkers of America	706
Elliot, No Evidence	712
Edwards v. Bairstow	712
Federal Court Act	720
Re Rohm & Haas	720
Judicial REview Procedure Act	723
Re Fregeau and Criminal Injuries Compensation Bd.	725

VII. "Some" Evidence

Re DiNardo and LLBO	727
Statutory Powers Procedure Act	729
R. v. Barber et al.	729
Re United Glass and Ceramic Workers	737
Re Girvan et al. and Consumers Gas Co.	739
Boulis and MMI	742

Chapter Eight PUBLIC PARTICIPATION IN THE ADMINISTRATIVE
PROCESSI. Standing to Participate at the Board Level

Re CRTC and London CAble	749
Seafarers International Union v. CNR	752
Re Henderson and OSC	757

II. Standing to Complain of Administrative Action

Re Central Canada Potash	761
R. v. Metropolitan Police Commisioner	767
R. v. Metropolitan Police Commisioner	774
Re Simonson and Hodgson	777
R. v. Vancouver Zoning Board of Appeal	779
Re Rothmans of Pall Mall and MNR	788
Jaffe, The Citizen as Litigant	794
Dyson v. AG	795
Judicature Act	798
Hollinger Bus Lines.v. OLRB	798
Morden, Recent Developments in Administrative Law	804
Thorson v. AG Can	806
N.S. Board of Censors v. McNeil	815
Re Pim and Minister of the Environment	818
Green v. The Queen in Right of Ontario	823
Stein v. City of Winnipeg	827
Rosenberg v. Grand River Conservation Authority	829

Moose Jaw Merchandisers v. Westport Enterprises	832
A.-G v Independant Broadcasting Authority	834
Gouriet c. UPW	842
Re Clark and A.G. Can	856

III. Standing of a Board in Subsequent Proceedings

Re CLRB and Transair	859
Re Northwestern Utilities and City of Edmonton	864
Re WCB of NS and Triege	866